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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/933,892	08/21/2001	Ismo Itkonen	100720-00050 (HEIN 18,938	6369
26304	7590	06/01/2006	EXAMINER TRUONG, THANH K	
KATTEN MUCHIN ROSENMAN LLP 575 MADISON AVENUE NEW YORK, NY 10022-2585			ART UNIT 3721	PAPER NUMBER

DATE MAILED: 06/01/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/933,892

Applicant(s)

ITKONEN ET AL.

Examiner

Thanh K. Truong

Art Unit

3721

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 March 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6 and 20-30 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6 and 20-30 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. This action is in response to applicant's amendment received on March 13, 2006.
2. Applicant's cancellation of claims 7-19 is acknowledged.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 2-6, 21 and 23 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Independent claim 1 claimed the stagewise wrapping process, however, the dependent claims 2, 4-6, 21 and 23 (directly or indirectly dependent of claim 1) claimed the slightly helical wrapping process. The two processes are two different embodiments of the claimed invention, and it is improper to claim two different embodiments in a single claim. Furthermore, there is no support in the disclosure (drawing or specification) for the combining of the two embodiments (stagewise wrapping and slightly helical wrapping) in a single process. In another words, there are more than one specie in the claimed invention, and claim 1 is not a generic claim, therefore, all the claims that are dependent of claim 1 can not be including other species than the specie of claim 1.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 1, 3, 20, 22, 24, and 26-30 are rejected under 35 U.S.C. 102(b) as being anticipated by Ekblom (5,765,340).

Ekblom discloses (figures 1-4) a method comprising the steps of:

providing a wrapper dispensing system for dispensing wrapping (6) onto a roll of web material (11), the wrapper dispensing system comprising a wrapper dispensing station and a wrapper dispensing means (7),

supporting the roll of web material on a roll rotation station (via rolls 3),

rotating the roll rotation station with the roll of web material supported thereon, the wrapper dispensing system remaining stationary relative to the rotating supported roll,

dispensing wrapping onto the rotating supported roll from the wrapper dispensing station via the dispensing means so that a first wrapping is wound so as to form on the rotating supported roll (column 4, lines 3-4)

moving the roll rotation station stepwise laterally in the axial direction of the rotating supported roll relative to the wrapper dispensing system after dispensing the first wrapping (column 4, lines 8-11), and

dispensing wrapping onto the rotating supported roll from the wrapper dispensing station via the dispensing means after the moving step so that a second wrapping is wound so as to form on the rotating supported roll, the second wrapping being formed to overlap the first wrapping in a stagewise manner (column 4, lines 15-16).

Ekblom further discloses: layers of wound wrapping have sharp edges that are aligned partially overlapping so that a staggered stepped bond can be formed therebetween (figures 2-3); the roll of web material is formed from paper and the wrapper is formed from paper (column 1, lines 12-16); the moving and dispensing steps are repeated so that at least a third overlapping wrapping is wound so as to form on the rotating supported roll (column 2, lines 65-67 and column 3, lines 1-3); the overlapping wrapper edges of each of the first and second wrapping are disposed in a regularly staggered fashion such that only a single overlapping wrapper edge of the second wrapping superposed over the first wrapping is visible when the second wrapping has been completed; the roll of web material resists deformation in an axial direction (column 1, lines 15-16); the first and second wrapping are distinct (figures 2-3); the first and second wrappings is wound oriented perpendicular to the roll (figures 1-4); and after the dispensing of the first wrapping operation and before the moving the roll rotation station laterally operation, stopping the dispensing of the wrapping operation (column 2, lines 45-58).

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 2, 4-6, 21, 23 and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ekblom (5,765,340) in view of Crowell (603, 585).

As discussed above in paragraph 6 of this office action, Ekblom discloses the claimed invention but does not expressly disclose the slightly helical wrapping in addition to the stagewise wrapping as recited in claims 2, 4-6, 21, 23 and 25.

Crowell discloses a method in which the wrapping is performed in the slightly helical wrapping manner providing a continuous wrapping process for roll web material that has a length wider than the wrapping material.

Therefore, it would have been obvious to one having ordinary skill in the art, at the time applicant's invention was made, to have modified Ekblom process by incorporating the continuous with the slightly helical wrapping process as taught by Crowell to provide a protective wrapping cover on top of the stagewise wrapping layer as recited in claim 2, 4-6, 21, 23 and 25.

Ekblom modified by Crowell further disclose the slightly helical wrapping comprises plastic wrap (column 2, lines 24).

Response to Arguments

9. Applicant's arguments filed March 13, 2006 have been fully considered but they are not persuasive.

10. In response to the Applicant's argument that in Ekblom, roll (11) is moved with the transporter (2), and because support rollers (3) are not movable, and therefore, Ekblom does not teach the step of "moving the rotation station laterally in the axial direction", the examiner respectfully disagrees.

The examiner maintains that Ekblom discloses the step of moving the rotation station laterally in the axial direction, because the "roll rotation station" includes the support rollers (3) and the transporter (2). The transporter (2) is moved laterally in the axial direction, and therefore the examiner construes that the transporter (2) is being read as the "roll rotation station" of claim 1.

In response to the Applicant's argument that Ekblom does not teach or disclose the step of helical wrapping, the examiner would like to point out that, Ekblom was not relied upon for the teaching of the helical wrapping.

11. In response to Applicant's argument that there is no suggestion to combine the references, the Examiner recognizes that references cannot be arbitrarily combined and that there must be some reason why one skilled in the art would be motivated to make the proposed combination of primary and secondary references. *In re Nomiya*, 184 USPQ 601 (CCPA 1915). However, there is no requirement that a motivation to make the modification be expressly articulated. The test for combining references is what the combination of disclosures take as a whole would suggest to one of ordinary skill in the

art. *In re McLaughlin*, 110 USPQ 209 (CCVA 1971). References are evaluated by what they suggest to one versed in the art, rather than by their specific disclosures. *In re Bozek*, 163 USPQ 545 (CCPA. 1969).

In this case, Ekblom discloses the claimed invention but does not expressly disclose the slightly helical wrapping in addition to the stagewise wrapping. Crowell discloses a method in which the wrapping is performed in the slightly helical wrapping manner providing a continuous wrapping process for roll web material that has a length wider than the wrapping material. Therefore, it would have been obvious to one having ordinary skill in the art, at the time applicant's invention was made, to have modified Ekblom process by incorporating the continuous with the slightly helical wrapping process as taught by Crowell to provide a protective wrapping cover on top of the stagewise wrapping layer.

Conclusion

12. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

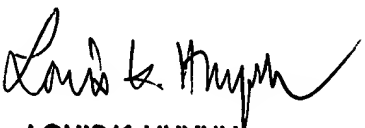
the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thanh K. Truong whose telephone number is 571-272-4472. The examiner can normally be reached on Mon-Thru 8:00AM - 6:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rinaldi Rada can be reached on 571-272-4467. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

tkk
May 25, 2006.


LOUIS K. HUYNH
PRIMARY EXAMINER